

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment		GRANT NUMBER (FAIN): 99248805		DATE OF AWARD 07/13/2011
			MODIFICATION NUMBER: 1		
			PROGRAM CODE: BG		MAILING DATE 07/20/2011
			TYPE OF ACTION Augmentation: Increase		
RECIPIENT TYPE: State			Send Payment Request to: Las Vegas Finance Center		
RECIPIENT: New Jersey Dept of Environmental Protection 440 East State St., P.O. Box 420 Trenton, NJ 08625-0420 EIN: 21-6000928			PAYEE: New Jersey Dept of Environmental Protection 440 East State St., P.O. Box 420 Trenton, NJ 08625-0420		
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST	
Judy Jengo 440 East State St., P.O. Box 420 Trenton, NJ 08625-0420 E-Mail: judy.jengo@dep.state.nj.us Phone: 609-292-2885		Richard Yue 290 Broadway, DEPP/SPMM/SPT New York, NY 10007-1866 E-Mail: Yue.Richard@epamail.epa.gov Phone: 212-637-3424		Cynthia Pabon Grants and Contracts Management Branch, OPM/GCMB E-Mail: pabon.cynthia@epa.gov Phone: 212-637-3405	
PROJECT TITLE AND EXPLANATION OF CHANGES FY2011 - 2013 Performance Partnership Grant This amendment increases the amount of obligated federal funds by \$14,039,721 from \$10,847,158 to \$24,886,879. As well, this amendment adds \$26,620 in in-kind funds that will be transferred to a national contract on New Jersey's behalf for participation in National Wetland Condition Assessment projects. These in-kind funds are not included in the amount obligated under the agreement and are not available to the recipient. Also, the Administrative and Programmatic conditions have been revised to include updated and new conditions.					
BUDGET PERIOD 07/01/2010 - 06/30/2013		PROJECT PERIOD 07/01/2010 - 06/30/2013		TOTAL BUDGET PERIOD COST \$92,463,358.00	
				TOTAL PROJECT PERIOD COST \$92,463,358.00	
NOTICE OF AWARD					
Based on your Application dated 05/28/2010 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$14,039,721. EPA agrees to cost-share 67.43% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$24,913,499. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS			ORGANIZATION / ADDRESS		
Grants and Audit Management Branch 290 Broadway, 27th Floor New York, NY 10007-1866			U.S. EPA, Region 2 Division of Environmental Planning and Protection 290 Broadway New York, NY 10007-1866		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY					
Digital signature applied by EPA Award Official Donna J. Vizian - Assistant Regional Administrator for Policy and Management					DATE 07/13/2011

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 10,847,158	\$ 14,039,721	\$ 24,886,879
EPA In-Kind Amount	\$ 0	\$ 26,620	\$ 26,620
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 30,111,747	\$	\$ 30,111,747
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 40,958,905	\$ 14,066,341	\$ 55,025,246

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.605 - Performance Partnership Grants	Appropriations Act of 1996 (PL 104-134) Appropriations Act of 1998 (PL 105-65)	40 CFR PTS 31 & 35 SUBPT A

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	1102HE0266	11	E1	02T1	101A04E	4108			250,000
-	1102HE0266	11	E1C	02T1	101A04E	4108			1,060,955
-	1102HE0266	11	E1	02T1	102A05E	4108			500,000
-	1102HE0266	11	E1	02T1	201B03E	4108			1,661,350
-	1102HE0266	11	E1C	02W1	201B08E	4108			77,000
-	1102HE0266	11	E1	02T1	202B01E	4108			2,794,000
-	1102HE0266	11	E1	02T1	202B06E	4108			3,674,700
-	1102HE0266	11	E1C	02T1	202B06EP1	4108			323,380
-	1102HE0266	11	E1	02T1	301D11E	4108			2,201,948
-	1102HE0266	11	E1C	02T1	301D11E	4108			89,721
-	1102HE0266	11	E1C	02T1	302D11E	4108			968,361
-	1102HE0266	11	E1	02W1	401C09E	4108			142,416
-	1102HE0266	11	E1C	02W1	401C09E	4108			56,084
-	1102HE0266	11	E1	02W1	501E12E	4108			239,800
									14,039,721

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$46,635,757
2. Fringe Benefits	\$16,252,561
3. Travel	\$50,000
4. Equipment	\$1,464,650
5. Supplies	\$294,500
6. Contractual	\$3,318,250
7. Construction	\$0
8. Other	\$11,687,600
9. Total Direct Charges	\$79,703,318
10. Indirect Costs: % Base	\$12,760,040
11. Total (Share: Recipient <u>32.57</u> % Federal <u>67.43</u> %.)	\$92,463,358
12. Total Approved Assistance Amount	\$62,351,611
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$14,066,341
15. Total EPA Amount Awarded To Date	\$24,913,499

Administrative Conditions

The following condition is updated:

15. ACORN

Congress has prohibited EPA from using its FY 2011 appropriations to provide funds to the Association of Community Organizations for Reform Now (ACORN) or any of its subsidiaries. None of the funds provided under this agreement may be used for subawards/subgrants or contracts to ACORN or its subsidiaries. Recipients should direct any questions about this prohibition to their EPA Grants Management Office.

The following condition is added:

18. DUNS AND CCR REQUIREMENTS

Central Contractor Registration and Universal Identifier Requirements.

A. Requirement for Central Contractor Registration (CCR). Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the CCR until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

B. Requirement for Data Universal Numbering System (DUNS) numbers. If you are authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.
2. May not make a subaward to an entity unless the entity has provided its DUNS number to you.

C. Definitions. For purposes of this award term:

1. Central Contractor Registration (CCR) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the CCR Internet site (currently at <http://www.ccr.gov>).
2. Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).
3. Entity, as it is used in this award term, means all of the following, as

defined at 2 CFR part 25, subpart C:

a. A Governmental organization, which is a State, local government, or Indian tribe;

b. A foreign public entity;

c. A domestic or foreign nonprofit organization;

d. A domestic or foreign for-profit organization; and

e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

4. Subaward:

a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. --.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").

c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

5. Subrecipient means an entity that:

a. Receives a subaward from you under this award; and

b. Is accountable to you for the use of the Federal funds provided by the subaward

All other administrative conditions remain the same

Programmatic Conditions

The following condition is added:

8. FOOD AND REFRESHMENTS

Unless the event(s) are specified in the approved workplan, the recipient agrees to obtain prior approval from EPA for the use of grant funds for light refreshments and/or meals served at meetings, conferences, training workshops, and outreach activities (events). The recipient must send requests for approval to the EPA Project Officer and include:

1. An estimated budget and description for the light refreshments, meals, and/or beverages to be served at the event(s);
2. A description of the purpose, agenda, location, length and timing for the event.
3. An estimated number of participants in the event and a description of their

roles.

Recipients may address questions about whether costs for light refreshments, and meals for events are allowable to the recipient's EPA Project Officer. However, the Agency Award Official or Grant Management Officer will make final determinations on allowability.

Note: U.S. General Services Administration regulations define light refreshments for morning, afternoon or evening breaks to include, but not be limited to, coffee, tea, milk, juice, soft drinks, donuts, bagels, fruit, pretzels, cookies, chips, or muffins. (41 CFR 301-74.11)

All other programmatic conditions remain the same